## REMARKS

By this Amendment, Applicants amend claims 1-3, 8, 9, and 11. Applicants also add new claims 12 and 13, and hence claims 1-3 and 8-13 are all the claims pending in the application.

### *Claim Rejections - 35 U.S.C. § 103*

**Claims 1 and 3 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rao et al. (US Patent App. 2003/0219103, hereinafter "Rao") in view of Koch (US Patent 7,127,400), and further in view of Woolston et al. (US Patent 6,856,967, hereinafter "Woolston").** Applicants respectfully traverse the rejection.

Claim 1 recites:

> An interception device comprising at least one of a Session Initiation Protocol proxy server and a Media Gateway Controller which detects information in signaling information transmitted between a first and a second Internet Protocol (IP) party and which generates instructions based on the detected signaling information that instruct a Real-time Transport Protocol (RTP) proxy server to create a first and a second channel to intercept a media stream between the first and second IP parties,
>
> wherein the first IP party receives the media stream from the RTP proxy server on the first channel and the second IP party receives the media stream from the RTP proxy server on the second channel.

In the Office Action, the Examiner asserts that Rao allegedly teaches substantially all the elements of claim 1. Specifically, the Examiner asserts that the soft switch 100 of Rao allegedly teaches the claimed "server... which detects information in signaling information transmitted between a first and a second Internet Protocol (IP) party and which generates instructions based on the detected signaling information," as recited in claim 1. The Examiner also asserts that edge router 710, 720 of Rao allegedly teaches the claimed "server [which] create[s] a first and a

second channel to intercept a media stream between the first and second IP parties." *See* Office Action, p. 3.

Rao describes an embodiment in which soft switch 100 directs integrated access devices 300 and 310, respectively provided to subscribers A and B, to setup a bearer path 320 through network 120. *See* Rao, FIG. 5, ¶¶ 66-68. Once the bearer path 320 is setup, subscribers A and B are in communication over the network 120. *See* Rao, ¶¶ 69-70. To intercept the communication between subscribers A and B, the soft switch 100 then directs an ingress ATM switch 330, serving a subscriber A, to setup a bearer path 350 between ingress ATM switch 330 and delivery function 160. *See* Rao, ¶ 74. The soft switch 100 then instructs the ingress ATM switch 330 to duplicate the packets received from subscriber A and to route the duplicated packets over the bearer path 350 to the delivery function 160. *See* Rao, ¶ 75. Similarly, the soft switch 100 directs egress ATM switch 340, servicing subscriber B, to setup a bearer path 360 between egress ATM switch 340 and delivery function 160, to duplicate the packets received from subscriber B, and to route the duplicated packets over bearer path 360 to delivery function 160. *See* Rao, ¶¶ 77-78.

As a preliminary matter, Applicants respectfully submit that since the Examiner acknowledges that the embodiments illustrated in FIGS. 5 and 7 of Rao are related embodiments (on page 3 of the Office Action, "figure 5 and their equivalent in figure 7"), a person having ordinary skill in the art would also understand ingress ATM switch 330 and egress ATM switch 340, described with reference to FIG. 5 of Rao, respectively correspond to edge routers 710, 720 cited by the Examiner and illustrated in FIG. 7. *See* Rao, ¶ 79.

Applicants respectfully submit Rao neither teaches nor suggests "instructions based on the detected signaling information that instruct...server to create a first and a second channel to intercept a media stream between the first and second IP parties," as recited in claim 1. Rather, as discussed above, Rao merely describes ingress ATM switch 330 (edge router 710) establishes a bearer path 350 between ingress ATM switch 330 (edge router 710) and delivery function 160. *See* Rao, ¶ 74. Therefore, Rao neither teaches nor suggests a "server to create a first and a second channel to intercept a media stream between the first and second IP parties," since Rao does not disclose or suggest ingress ATM switch 330 (edge router 710) establishing a first and second channel. Instead, Rao merely describes ingress ATM switch 330 (edge router 710) only establishing a single bearer path, with no teaching or suggestion of a first and second channel.

Accordingly, Rao fails to teach or suggest "instructions based on the detected signaling information that instruct...server to create a first and a second channel to intercept a media stream between the first and second IP parties." Koch and Woolston are merely cited for teaching an SIP proxy server and an RTP proxy server and similarly fail to teach or suggest such a feature, and hence claim 1 would not have been rendered unpatentable by the combination of Rao, Koch, and Woolston for at least these reasons.

In addition, Applicants respectfully submit that Rao also fails teach or suggest "wherein the first IP party receives the media stream from the...server on the first channel and the second IP party receives the media stream from the...server on the second channel," as recited in claim 1. Rather, as discussed above, Rao describes subscribers A and B as being provided separate ingress and egress switches 330, 340 (edge routers 710, 720) for respectively servicing the subscribers. Therefore, Rao neither teaches nor suggests "the first IP party receives the media

stream from the...server on the first channel and the second IP party receives the media stream from the...server on the second channel," since Rao does not disclose or suggest that subscribers A and B receive data from a single device, i.e. "the...server," as recited in claim 1. Instead, Rao describes subscriber A receiving data from a ingress ATM switch 330 (edge router 710) and subscriber B receiving data from a different egress ATM switch 340 (edge router 720), with no teaching or suggestion of a same server servicing each subscriber.

Moreover, Rao neither teaches nor suggests that the "server create[s] a first and a second channel" and "the first IP party receives the media stream from the...server on the first channel and the second IP party receives the media stream from the...server on the second channel," as recited in claim 1. Rather, as discussed above, Rao describes ingress ATM switch 330 (edge router 710) creating bearer path 350 servicing subscriber A and different egress ATM switch 340 (edge router 720) creating a different bearer path 360 servicing subscriber B. Therefore, Rao fails to teach or suggest that the "server create[s] a first and a second channel" and "the first IP party receives the media stream from the...server on the first channel and the second IP party receives the media stream from the...server on the second channel," since Rao does not disclose or suggest a server creating a first and second channel, and subscribers A and B using those created channels to receive data from the same server.

Again, Koch and Woolston are merely cited for teaching an SIP proxy server and an RTP proxy server and similarly fail to teach or suggest such a feature, and hence claim 1 would not have been rendered unpatentable by the combination of Rao, Koch, and Woolston for at least these additional reasons.

*Claim 3*

Claim 3 recites features similar to those discussed above, and hence claim 3 would not have been rendered unpatentable for at least analogous reasons.

**Claim 2 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rao in view of Hackbarth et al. (US Patent App. 2002/0147777, hereinafter "Hackbarth"), and further in view of Woolston.** Applicants respectfully traverse the rejection.

Claim 2 recites features similar to those discussed above regarding claim 1. Hackbarth is merely cited for teaching an SIP proxy server, and fails to cure the deficient disclosure of Rao. Accordingly, the combination of Rao and Hackbarth would not have rendered claim 2 unpatentable for at least reasons analogous to those discussed above regarding claim 1.

**Claims 8 and 11 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rao in view of Straut et al. (US Patent 7,219,138, hereinafter "Straut").** Applicants respectfully traverse the rejection.

Claim 8 recites features similar to those discussed above regarding claim 1. Straut is merely cited for teaching copying a data stream, and fails to cure the deficient disclosure of Rao. Accordingly, the combination of Rao and Straut would not have rendered claim 8 unpatentable for at least reasons analogous to those discussed above regarding claim 1.

Claim 11 depends on claim 8 and incorporates all the features of claim 8, and hence claim 11 should be deemed patentable at least by virtue of its dependency on claim 8.

**Claim 9 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rao in view of Straut, as applied to claim 8, and further in view of Koch.** Applicants respectfully traverse the rejection.

Claim 9 depends on claim 8 and incorporates all the features of claim 8. Koch is merely cited for teaching an SIP proxy server. Even if Rao and Straut could have somehow been modified based on Koch, as the Examiner asserts in the Office Action, the combination would still not contain all the features of claim 8, and hence claim 9, as discussed above. Accordingly, claim 9 would not have been rendered unpatentable by the combination of Rao, Straut, and Koch for at least these reasons.

**Claim 10 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rao in view of Straut, as applied to claim 8, and further in view of Woolston.** Applicants respectfully traverse the rejection.

Claim 10 depends on claim 8 and incorporates all the features of claim 8. Woolston is merely cited for teaching an RTP proxy server. Even if Rao and Straut could have somehow been modified based on Woolston, as the Examiner asserts in the Office Action, the combination would still not contain all the features of claim 8, and hence claim 10, as discussed above. Accordingly, claim 10 would not have been rendered unpatentable by the combination of Rao, Straut, and Woolston for at least these reasons.

***New Claims***

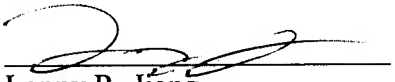
As discussed above, Applicants add new claims 12 and 13. Applicants respectfully submit claims 12 and 13 should be deemed patentable at least by virtue of their dependency. Applicants also respectfully submit the prior art references cited by the Examiner fail to teach or suggest all the elements of claims 12 and 13.

***Conclusion***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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